

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 DAVID A. HANO,
4 Plaintiff

5 v.

6 STATE OF NEVADA, *et al.*,
7 Defendants.

Case No. 2:19-cv-02246-GMN-EJY

ORDER

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9 Pending before the Court is Plaintiff's Notice to the Court Concerning Plaintiff[s] Motion
10 for Contempt. ECF No. 84. The Court has considered Plaintiff's Notice and Defendants' Response
11 (ECF No. 96). No reply was filed.

12 In Plaintiff's Notice, he states that he submitted a medical request form on January 14, 2021
13 requesting a refill of his nitroglycerin prescription. ECF No. 84 at 2. Plaintiff further states that he
14 filed an emergency grievance on January 22, 2021, and on January 23, 2021 he "called a man-down"
15 resulting in him being taken to the infirmary where he was given his nitroglycerin medication.
16 *Id.* Nonetheless, it is not clear from Plaintiff's filing if he missed prescribed doses of his medication
17 or if it was the refills that were at issue.

18 In their Response, Defendants state that Plaintiff's nitroglycerin prescription was refilled on
19 January 23, 2021, February 9, 2021, February 24, 2021, and March 28, 2021. Defendants further
20 state that they spoke with Plaintiff on May 4, 2021 and asked about his claim that he had not received
21 his nitroglycerin during a 53 day period. ECF No. 96 at 2. Defendants state that Plaintiff explained
22 in response that he did not mean he had not received nitroglycerin during a 53 day period, but that it
23 took 53 days for High Desert State Prison ("HDSP") to respond to his grievance. *Id.* Thereafter,
24 Defendants confirm that Plaintiff had his nitroglycerin as of the May 4, 2021 conversation, and that
25 "HDSP has diligently provided Hano with his medications." *Id.* at 2-3.

26 Based on the foregoing, it appears the concern regarding nitroglycerine is resolved.
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